

MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, November 27, 2002, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Mary Bills-Strand, Jon Carlson, Gerry Krieser, Roger Larson, Patte Newman, Greg Schwinn and Cecil Steward (Steve Duvall and Tommy Taylor absent); Marvin Krout, Mike DeKalb, Brian Will, Tom Cajka, Greg Czaplewski, Jean Walker and Teresa McKinstry of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Meeting

Chair Greg Schwinn called the meeting to order and requested a motion approving the minutes of the meeting held November 13, 2002. Newman moved to approve the minutes, seconded by Larson and carried 5-0: Carlson, Larson, Newman, Schwinn and Steward voting 'yes'; Bills-Strand and Krieser abstaining; Duvall and Taylor absent.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

November 27, 2002

Members present: Bills-Strand, Carlson, Krieser, Larson, Newman, Schwinn and Steward; Duvall and Taylor absent.

The Consent agenda consisted of the following items: **FINAL PLAT NO. 02019, NORTHERN LIGHTS 11TH ADDITION; FINAL PLAT NO. 02024, VINTAGE HEIGHTS 12TH ADDITION; FINAL PLAT NO. 02037, HARTLAND HOMES SOUTHWEST ADDITION; FINAL PLAT NO. 02041, FALLBROOK 6TH ADDITION; WAIVER OF DESIGN STANDARDS NO. 02023; and MISCELLANEOUS NO. 02006.**

Item No. 1.5, Waiver of Design Standards No. 02023, was removed from the Consent Agenda and scheduled for separate public hearing.

Newman moved to approve the remaining Consent Agenda, seconded by Bills-Strand and carried 7-0: Bills-Strand, Carlson, Krieser, Larson, Newman, Schwinn and Steward voting 'yes'; Duvall and Taylor absent.

Note: This is final action on the Northern Lights 11th Addition Final Plat No. 02019, Vintage Heights 12th Addition Final Plat No. 02024, Hartland Homes Southwest Addition Final Plat No. 02037 and Fallbrook 6th Addition Final Plat No. 02041, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

WAIVER OF DESIGN STANDARD NO. 02023
TO WAIVE STREET TREES, STREET LIGHTS,
SIDEWALKS AND PAVING
ON PROPERTY GENERALLY LOCATED
AT SOUTH 7TH STREET AND “N” STREET.

PUBLIC HEARING BEFORE PLANNING COMMISSION:

November 27, 2002

Members present: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn; Duvall and Taylor absent.

Staff recommendation: Approval.

This application was removed from the Consent Agenda and had separate public hearing at the request of staff.

The Clerk advised that the staff and applicant are requesting a deferral until January 8, 2003, to advertise an additional waiver request.

Bills-Strand moved to defer, with continued public hearing and administrative action scheduled for January 8, 2003, seconded by Steward and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

There was no public testimony.

CHANGE OF ZONE NO. 3388
FROM H-2 HIGHWAY BUSINESS TO
B-3 COMMERCIAL,
ON PROPERTY GENERALLY LOCATED
AT NORTH COTNER BLVD. AND “O” STREET.

PUBLIC HEARING BEFORE PLANNING COMMISSION:

November 27, 2002

Members present: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn; Duvall and Taylor absent.

Staff recommendation: Denial.

Proponents

1. Brian Carstens appeared on behalf of the applicant and requested deferral until January 8, 2003. A separate application is being submitted to the Board of Zoning Appeals, which should be acted upon in December.

Steward moved to defer, with continued public hearing and administrative action on January 8, 2003, seconded by Bills-Strand and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

There was no other public testimony.

CHANGE OF ZONE NO. 3389
FROM B-1 LOCAL BUSINESS TO
H-2 HIGHWAY BUSINESS,
ON PROPERTY GENERALLY LOCATED
AT SOUTHWOOD DRIVE AND HIGHWAY 2.
PUBLIC HEARING BEFORE PLANNING COMMISSION:

November 27, 2002

Members present: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn; Duvall and Taylor absent.

Staff recommendation: Denial.

Greg Czaplewski of Planning staff submitted a letter from the applicant requesting deferral until January 8, 2003.

Larson moved to defer, with continued public hearing and administrative action scheduled for January 8, 2003, seconded by Steward and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

There was no public testimony.

ANNEXATION NO. 02009;
CHANGE OF ZONE NO. 3374,
FROM AG AGRICULTURAL TO R-3 RESIDENTIAL;
SPECIAL PERMIT NO. 1762A,
AMENDMENT TO THE VINTAGE HEIGHTS 3RD ADDITION C.U.P.;
and
PRELIMINARY PLAT NO. 02017,
VINTAGE HEIGHTS 3RD ADDITION,
ON PROPERTY GENERALLY LOCATED
AT SO. 91ST STREET AND PINE LAKE ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION:

November 27, 2002

Members present: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn; Duvall and Taylor absent.

Staff recommendation: Approval of the annexation and change of zone; and conditional approval of the community unit plan and preliminary plat.

Becky Horner of Planning staff submitted a revised staff recommendation to approve the waiver to allow double frontage lots.

Proponents

1. **Brian Carstens** appeared on behalf of the developer for this mutli-family area. He agreed with the staff recommendation and conditions of approval, except Condition #1.1.8, which he requested be amended to add language, "or extend Venice Court to the north to Sicily Lane." This will eliminate the T-turnaround and extend the street straight through reducing the project by two units.

There was no testimony in opposition.

For clarification and future reference, Steward asked staff to explain the recommendation to allow the double frontage lots. Horner stated that it was the staff's understanding that there were single family lots adjacent to the east of this area. Staff now understands that there is an 80' overhead transmission line easement and it is more appropriate to allow the double frontage lots with that transmission line easement. The transmission line easement is on the 91st Street right-of-way.

Horner agreed with the applicant's proposal to amend Condition #1.1.8.

Public hearing was closed.

ANNEXATION NO. 02009

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

November 27, 2002

Steward moved approval, seconded by Newman and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

CHANGE OF ZONE NO. 3374

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

November 27, 2002

Steward moved approval, seconded by Newman and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

SPECIAL PERMIT NO. 1762A

AMENDMENT TO THE VINTAGE HEIGHTS 3RD ADDITION C.U.P.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

November 27, 2002

Steward moved to approve the staff recommendation of conditional approval, as revised, seconded by Larson and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

PRELIMINARY PLAT NO. 02017

VINTAGE HEIGHTS 3RD ADDITION.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

November 27, 2002

Steward moved to approve the staff recommendation of conditional approval, as revised, with amendment to Condition #1.1.8 as requested by the applicant, seconded by Bills-Strand and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

ANNEXATION NO. 02008;
SPECIAL PERMIT NO. 1960,
GRANDVIEW HEIGHTS COMMUNITY UNIT PLAN;
and
PRELIMINARY PLAT NO. 02004,
GRANDVIEW HEIGHTS,
ON PROPERTY GENERALLY LOCATED
AT THE N.W. CORNER OF NO. 14TH AND SUPERIOR STREETS.
CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: November 27, 2002

Members present: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn; Duvall and Taylor absent.

Staff recommendation: Approval of the annexation; and conditional approval of the community unit plan and conditional approval of the preliminary plat, as revised adding Condition #3.2.11.

Proponents

1. **Jack Lynch** of Olsson Associates appeared on behalf the 16 property owners who are making this application for the area bounded by 7th on the west, 14th on the east, Morton on the north and Superior on the south. This is a case of property owners who are sitting on 5 acre tracts or larger wanting to insure that their quality of life/neighborhood says in tact based upon future development. The property owners have all come to agreement that they need a preliminary plat that covers their properties which allows each property owner to develop if he or she may in the future, but which recognizes the desires of each adjoining property owner. Given the amount of waivers being requested, Lynch acknowledged that it sounds like they wish to redesign the design standards, but this is the same kind of project that was approved at Hawkswood Estates, which basically maintains the rural roads that exist in this neighborhood and provides sidewalks on one side of the street. The property is heavily treed so there is no need for additional landscaping and the street lighting system is a little less than the typical urban development. These property owners have agreed to leave the most sensitive areas out of the development. This gives all of the property owners assurance that when the property owners want to develop, they can develop in a consistent manner that has been agreed upon.

Lynch agreed with the staff recommendation and conditions of approval, including the new Condition #3.2.11. They want to keep rural section roads. The property owners would agree to maintain the ditches and he believes this is consistent with the additional Condition #3.2.11 recommended by staff.

There was no testimony in opposition.

Steward sought clarification that Condition #3.2.11 takes care of the complete rural section road condition. Horner confirmed that Condition #3.2.11 relates to the internal streets.

Public hearing was closed.

ANNEXATION NO. 02008

ADMINISTRATIVE ACTION BY PLANNING COMMISSION: November 27, 2002

Larson moved approval, seconded by Bills-Strand and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

SPECIAL PERMIT NO. 1960,

GRANDVIEW HEIGHTS COMMUNITY UNIT PLAN.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION: November 27, 2002

Carlson moved to approve the staff recommendation of conditional approval, seconded by Newman and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

PRELIMINARY PLAT NO. 02004

GRANDVIEW HEIGHTS

ADMINISTRATIVE ACTION BY PLANNING COMMISSION: November 27, 2002

Carlson moved to approve the staff recommendation of conditional approval, as revised adding Condition #3.2.11, seconded by Newman.

Steward believes compliments are in order to all the property owners and the engineering services applied to this development proposal, and especially the preservation of the sensitive areas within the context of this urbanizing strategy. We've all been concerned about the acreages around Lincoln and how we move to higher density, urbanized and more appropriate use of the land in our new Comprehensive Plan. He believes that this Grandview Heights development is worthy to note as a model.

Motion for conditional approval, as revised, carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

CHANGE OF ZONE NO. 3385
FROM AGR AGRICULTURAL RESIDENTIAL
TO R-1 RESIDENTIAL
ON PROPERTY GENERALLY LOCATED
AT SOUTH 66TH STREET AND PINE LAKE ROAD.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: November 27, 2002

Members present: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn; Duvall and Taylor absent.

Staff recommendation: Deferral

Proponents

1. **Brian Carstens** appeared on behalf of the applicants and requested an additional two-week delay until December 11, 2002, to work with staff on some issues.

Newman moved to defer, with continued public hearing and administrative action scheduled for December 11, 2002, seconded by Bills-Strand and carried 7-0: Steward, Larson, Krieser, Bills-Strand, Carlson, Newman and Schwinn voting 'yes'; Duvall and Taylor absent.

There being no further business, the meeting was adjourned at 1:30 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on December 11, 2002.